

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

\_\_\_\_\_  
WILLIAM KRAUSE,

Plaintiff,

v.

MICHAEL J. ASTRUE,  
Commissioner of Social Security,

Defendant.  
\_\_\_\_\_

Civil Action No. 11-10923-NMG

REPORT AND RECOMMENDATION ON  
PLAINTIFF'S MOTION TO REVERSE AND DEFENDANT'S MOTION TO AFFIRM  
DECISION BY COMMISSIONER OF THE SOCIAL SECURITY ADMINISTRATION

June 22, 2012

SOROKIN, C.M.J.

The Plaintiff, William Krause ("Krause"), seeks reversal of the decision by the Defendant, the Commissioner of the Social Security Administration ("the Commissioner"), denying him Disability Insurance Benefits ("DIB") and Supplemental Security Income ("SSI").<sup>1</sup> (Docket No. 11). The Commissioner seeks an Order affirming his decision. (Docket No. 13).

For the reasons set forth below, I RECOMMEND that the Court deny Krause's Motion to Reverse the Commissioner's Decision (Docket No. 11) and that the Court grant the Commissioner's Motion for an Order Affirming the Commissioner's Decision. (Docket No. 13).

<sup>1</sup> In general, the legal standards applied are the same regardless of whether a claimant seeks DIB or SSI. However, separate, parallel statutes and regulations exist for DIB and SSI claims. Therefore, citations in this opinion should be considered to refer to the appropriate parallel provision as context dictates. The same applies to citations of statutes or regulations found in quoted court decisions.

*Report and Recommendation accepted and  
adopted. S/M Gorton, USDJ 7/23/12*